

### **IN THE DRAWINGS**

Corrected drawings are supplied herewith, each labeled as "REPLACEMENT SHEET".

Applicants propose a minor amendment to FIG. 4, by substituting reference number 20 for reference number 18, for the purpose of conforming FIG. 4 to FIG. 5 and conforming the drawings to the detailed description.

No new matter has been added. Support for the proposed amendment to FIG. 4 may be found in FIG. 5, which shows lower portion 20 of terminal 19. (FIG. 4 is a bottom view of the structure shown in FIGS. 3 and 5.)

The proposed amendment to FIG. 4 is shown in red ink and/or in replacement formal drawing sheets.

### **REMARKS**

This responds to the Office Action mailed on August 4, 2005.

Claims 1-5 and 7 have been canceled. Claims 6, 15, and 16 have been amended. No new claims have been added. As a result, claims 6, 8-16, and 43-49 are now pending in this application.

For the convenience of the Examiner, Applicants' remarks concerning the claims will be presented in the same order in which the Examiner presented them in the Office Action.

### **Amendments to the Specification**

Applicants have amended the paragraph beginning on page 14, line 20, by inserting "on or in its upper surface" for "on its upper surface" to conform the written description with FIG. 13. Likewise, Applicants have amended the paragraph beginning on page 15, line 21, by inserting "on or in the upper surface" for "on the upper surface" to conform the written description with FIG. 13. No new matter has been added.

### **Amendments to Claims 6, 15, and 16**

Claims 6, 15, and 16 have been amended. No new matter has been introduced.

Claims 6 and 15 have each been amended by adding the phrase "at least one conductor within the interior" and by adding the phrase "and the at least one conductor".

Claim 16 has been amended by adding the phrase "at least one additional conductor within the interior" and by adding the phrase "and the at least one additional conductor".

The amendments to the claims are made for the purpose of clarification, and they are not intended to limit the scope of equivalents to which any claim element may be entitled.

**Rejection of Claims 1-5**  
**Under 35 U.S.C. §102(e)**  
**as Anticipated by Kuroda**

Claims 1-5 were rejected under 35 U.S.C. §102(e) as being anticipated by Kuroda et al. (U.S. 6,327,134). Claims 1-5 have been canceled without prejudice by way of this amendment.

**Rejection of Claims 6-16 and 43-49**  
**Under 35 U.S.C. §103(a) as Unpatentable**  
**over Kuroda in combination with**  
**“Applicant’s Admitted Prior Art”**

Claims 6-16 and 43-49 were rejected under 35 U.S.C. §103(a) as being unpatentable over Kuroda et al. in combination with “Applicant’s Admitted Prior Art” (hereinafter “AAPA”). Claim 7 has been canceled by way of this amendment.

To establish a *prima facie* case of obviousness under 35 U.S.C. §103, the prior art reference (or references when combined) must teach or suggest every limitation of the claim. *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA, 1974). MPEP §2143.

The asserted combination of Kuroda in view of AAPA fails to teach or suggest all of the claim limitations present in independent claim 6, as amended, and in independent claim 43, so a *prima facie* case of obviousness has not been established.

For example, regarding independent claim 6, nothing could be found in Kuroda or in AAPA showing a third terminal electrically coupled to the first terminal only via the first element and the at least one conductor. The Examiner is reading both the “first element” and the “at least one conductor” on Kuroda’s first internal electrode 10 (FIG. 3A). This is improper, because these are two separate structures in Applicants’ disclosed subject matter and in claim 6.

Likewise, regarding independent claim 43, nothing could be found in Kuroda or in AAPA showing a third terminal electrically coupled to the first terminal only via the first element and the first conductor. The Examiner is reading both the “first element” and the “first conductor” on Kuroda’s first internal electrode 10 (FIG. 3A). This is

improper, because these are two separate structures in Applicants' disclosed subject matter and in claim 43.

For the above reasons, independent claims 6 and 43 should be found to be allowable over any combination of Kuroda and AAPA, and Applicants respectfully request that the rejection of claims 6 and 43 under 35 U.S.C. §103(a) as being unpatentable over Kuroda in view of AAPA should be withdrawn.

Claims 8-16 and 44-49, which depend from claims 6 and 43, respectively, and incorporate all of the limitations therein, are also asserted to be allowable for the reasons presented above.

#### **Additional Elements and Limitations**

Applicants consider additional elements and limitations of claims 6, 8-16, and 43-49 to further distinguish over Kuroda, and Applicants reserve the right to present arguments to this effect at a later date.

**Conclusion**

Applicants respectfully submit that claims 6, 8-16, and 43-49 are in condition for allowance, and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicants' attorney, Walter W. Nielsen (located in Phoenix, Arizona) at (602) 298-8920, or the below-signed attorney (located in Minneapolis, Minnesota) to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,

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Date Jan. 4, 2006

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**CERTIFICATE UNDER 37 CFR 1.8:** The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: MS Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 4th day of January, 2006.

Amy Moriarty

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Name

  
Signature